

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 17-240 (FAB)

HUMBERTO CONCEPCIÓN-ANDRADES
[1],

Defendant.

ORDER

Defendant Humberto Concepción-Andrades' "EMERGENCY MOTION TO REDUCE SENTENCE AND/OR TO RELEASE DEFENDANT ON FURLOUGH" (Docket No. 934) is **DENIED**.

1. Defendant has not exhausted his administrative remedies within the BOP. 18 U.S.C. sec. 3582(c)(1)(A), a matter which is jurisdictional and of strict compliance, even under the current COVID-19 pandemic. The letter he sent to the Warden does not qualify as a request for compassionate release.

2. Defendant does not satisfy the requirements for compassionate release. He does not provide any extraordinary or compelling reasons for compassionate release. Potential COVID-19 exposure is not one of them, especially considering the various protective measures the BOP has implemented to minimize the risk

of COVID-19 transmission within its institutions, even if an inmate is one with increased risk if he contracts coronavirus.

3. The Court lacks authority to order a furlough, a matter within the BOP's discretion. 18 U.S.C. sec. 3624(c).

4. Considering all the 18 U.S.C. sec. 3553(a) factors, defendant is a danger to society and should not be released or furloughed.

IT IS ORDERED.

San Juan, Puerto Rico, May 27, 2020.

s/ Francisco A. Besosa
FRANCISCO A. BESOSA
UNITED STATES DISTRICT JUDGE